



Date: September 3, 2003 Attorney Docket No. P06280US0-169A

INVENTORS: Steven P. HERGOTT, David S. HAMBLIN and Michael J. HARDY

Title: METHOD & MEANS FOR STUFFING NATURAL CASINGS
WITH SAUSAGE EMULSION
SN: 10/160,931
FILED: May 31, 2002
GROUP ART UNIT: 3643
CONF. NO.: 4945

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AMENDMENT AFTER NOTICE OF ALLOWANCE UNDER 37 C.F.R. 1.312
consisting of nine (9) pages with a certificate of mailing on the first page
thereon.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AMENDMENT : Basile, Vincent L. et al.
SERIAL NO. : 10/126,400
FILED : April 19, 2002
TITLE : MEAT INJECTION MACHINE
Group/A.U. : 1761
Examiner : Timothy F. Simone
Conf. No. : 3027
Docket No. : P05142US1

AMENDMENT AFTER NOTICE OF ALLOWANCE UNDER 37 C.F.R. 1.312

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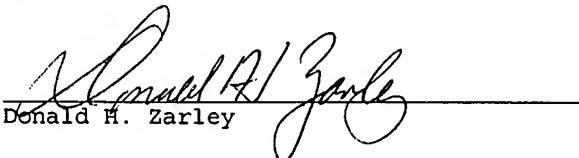
In view of the attached Information Disclosure Statement,
please enter the following amendment.

Amendments to the Claims are reflected in the listing of claims
which begins on page 2 of this paper.

Remarks begin on page 7 of this paper.

CERTIFICATE OF MAILING (37 C.F.R. § 1.8(A))

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Donald M. Zarley

Amendments to the Claims:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claim 1 (currently amended) A method of stuffing natural casings with sausage emulsion, comprising,
preloading each of the casings on an elongated hollow open ended sleeve shorter than the casings with the sleeve having a first end and an open end which is of constant uninterrupted diameter between the first end and the open end and having diameter less than the casings by telescoping the casing on the outer surface of the sleeve, and extending an open end of the casing toward the open end of the sleeve,
slidably mounting the sleeve over an open end of a meat stuffing tube of a sausage encasing machine,
extruding meat emulsion through the stuffing tube into the casing mounted on the sleeve until the casing is slidably removed from the tube caused in part by the movement of meat emulsion entering the casing,
repeating the use of the sleeve by preloading the sleeve with another natural casing, and
sequentially filling the casing on the preloaded sleeve with meat emulsion in accordance with the foregoing steps, and
wherein the stuffing tube is moved longitudinally to a twisting and linking station when a pre-loaded sleeve is mounted thereon, a
? brake element is moved into operative contact with the sleeve,
the brake element selectively holding the sleeve against
longitudinal movement while permitting the sleeve to all from
supporting condition on the stuffing tube.

Claim 2 (canceled)

Claim 3 (currently amended) The machine of claim 212 wherein a radial flange is on the sleeve at an end opposite its open discharge opening.

Claim 4 (previously presented) The machine of claim 3 wherein the stuffing tube has a stop element on its outer surface to engage the flange to limit the sliding action of the sleeve on the stuffing tube in one direction.

Claim 5 (previously presented) The machine of claim 4 wherein the stop element is positioned so that when it engages the flange the discharge openings of the sleeve and the stuffing tube register with each other.

Claims 6-8 (previously canceled)

Claim 9 (canceled)

Claim 10 (previously canceled)

Claim 11 (previously presented) A natural casing sausage making machine having a frame, a meat emulsion pump, and a hollow stuffing tube with an open discharge end for discharging meat emulsion from the pump, comprising,

a hollow open ended elongated sleeve slidably mounted on the stuffing tube and having an open discharge end registering with the discharge end of the stuffing tube,
the sleeve being preloaded with a natural casing having a diameter and length greater than that of the sleeve, the casing being in telescopic condition on the outer surface of the sleeve,

a radially extending flange adjacent one end of the sleeve to prevent the casing from sliding off that end of the sleeve, a stop element on the outer surface of the stuffing tube to engage the flange to limit the sliding action of the sleeve on the stuffing tube in one direction, the stop element being positioned so that when it engages the flange the discharge opening of the sleeve and the stuffing tube register with each other, a detent element interconnecting the sleeve with the stuffing tube to releasably connect the sleeve to the stuffing tube, the detent element being comprised of an annular groove extending around the outer surface of the stuffing tube with a detent element on the inner diameter of the sleeve to permit the detent element to releasably be inserted in to the annular groove, and an elongated slot on the sleeve and extending length of the sleeve to permit its diameter to be resiliently changed to facilitate the placement of the sleeve on the stuffing tube to accommodate the detent until the detent is located within the annular groove.

Claim 12 (previously presented) A natural casing sausage making machine having a frame, a meat emulsion pump, and a hollow stuffing tube with an open discharge end for discharging meat emulsion from the pump, comprising,

a hollow open ended elongated sleeve slidably mounted on the stuffing tube and having an open discharge end registering with the discharge end of the stuffing tube,

the sleeve being preloaded with a natural casing having a diameter and length greater than that of the sleeve, the casing being in telescopic condition on the outer surface of the sleeve,

a radially extending flange adjacent one end of the sleeve to prevent the casing from sliding off that end of the sleeve, and

a brake element pivotally mounted on the machine and positioned to contact the sleeve to selectively hold the sleeve against longitudinal movement, and means on the machine for withdrawing the stuffing tube from the sleeve after the casing on the sleeve has been removed from the stuffing tube and filled with meat emulsion.

Claim 13 (New) A natural casing stuffing sausage making machine having a frame, a meat emulsion pump, and a hollow stuffing tube with an open discharge end for discharging meat emulsion from the pump, comprising, a hollow open ended elongated sleeve slidably mounted on the stuffing tube and having an open discharge end registering with the discharge end of the stuffing tube, the sleeve being preloaded with a natural casing having a diameter and length greater than that of the sleeve, the casing being in telescopic condition on the outer surface of the sleeve, a radially extending flange adjacent one end of the sleeve to prevent the casing from sliding off that end of the sleeve, wherein the radially extending flange is on the sleeve at an end opposite its open discharge opening, a stop element on the outer surface of the stuffing tube to engage the flange to limit the sliding action of the sleeve on the stuffing tube in one direction, the stop element being positioned so that when it engages the flange the discharging openings of the sleeve and the stuffing tube register with each other, a detent element interconnecting the sleeve with the stuffing tube to releasably connect the sleeve to the stuffing tube, and the detent element being comprised of an annular groove extending around the outer surface of the stuffing tube with a

detent element on the inner diameter of the sleeve to permit the detent element to releasably be inserted into the annular groove.

REMARKS

Applicant has discovered the existence of certain prior art that has just come to the attention of the attorneys of record. An Information Disclosure Statement sheet describing this prior art device is enclosed. This prior art was first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is believed that of the allowed claims 1-5, 9, 11 and 12, only claims 1 and 2 are impacted by this prior art. Accordingly, Applicant requests that claim 1 be amended and claim 2 be canceled. Additionally, Applicant has amended claim 3 to change its dependency from canceled claim 2 to allowed independent claim 12, thus making claims 3-5 now ultimately dependent on claim 12. Claim 9 has been canceled, as its subject matter has been incorporated into amended claim 1.

Applicant asserts that independent amended method claim 1 and independent apparatus claim 12 remain novel and not obvious in view of the prior art. Specifically, claims 1 and 12 recite a "brake element" to hold the sleeve "against longitudinal movement while the stuffing tube is withdrawn." As can be seen in Fig. 4 of the present application, the brake element 40 permits the sleeve 30 to fall away from stuffing tube 14 when the stuffing tube 14 is longitudinally withdrawn from the sleeve 30. Also, as can be seen in Fig. 5, the brake element 40 is designed to "selectively" hold the sleeve as recited by independent claims 1 and 12. Conversely, the cited prior art either lacks the element for holding the sleeve against longitudinal movement, or if they do provide such an element, there is no teaching or suggestion that the element "selectively" hold the sleeve. The structural difference of

"selectively holding" as recited in Applicant's claims 1 and 12 provides the functional advantage of permitting the sleeve to fall from the supporting condition on the stuffing tube when the stuffing tube is longitudinally withdrawn from the sleeve.

Accordingly, Applicant asserts that independent claims 1 and 12 are novel and not obvious in view of the cited references.

Likewise, claims 3-5 are also novel and not obvious in view of the cited references due at least to their dependence on independent claim 12. Further, none of the cited documents are relevant to independent claim 11, which recites that there be "an elongated slot on the sleeve and extending the length of the sleeve ...". Applicant notes, that the international search report cited no art relevant to PCT dependent claim 8, which is similar in scope to the pending U.S. independent apparatus claim 11. Accordingly, independent claim 11 is novel and not obvious in view of the cited references.

Additionally, Applicant has added new independent claim 13 based on original dependent claim 7, which recited that the sleeve have "an open discharge end registering with the discharge end of the stuffing tube", a "stop element on the outer surface of the stuffing tube" engaging "a radially extending flange on the sleeve", and "an annular groove extending around the outer surface of the stuffing tube with a detent element on the inner diameter of the sleeve to permit the detent element to releasably be inserted into the annular groove".

Conversely, cited references either lack the element of "an open discharge end registering with the discharge end of the stuffing tube", or if they do provide such an element there is no teaching or suggestion that the device have "a detent element on the inner diameter of the sleeve." Further, the specific combination of elements found in independent claim 13 is not

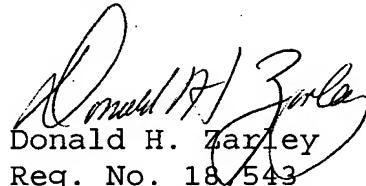
found in any of the individual references, and there appears to be no teaching or suggestion for combining the references to render the claimed invention obvious.

CONCLUSION

In view of the above amendments and remarks, applicant believes that claims 1, 3-5, and 11-13 are in condition for allowance, and Applicant respectfully requests allowance of such claims. If any issues remain that may be expeditiously addressed in a telephone interview, the Examiner is encouraged to telephone the undersigned at 515-558-0200.

Any fees or extensions of time believed to be due in connection with this amendment are enclosed with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 50-2098.

Respectfully submitted,


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